



**LEAD MEMBER FOR EDUCATION AND INCLUSION, SPECIAL EDUCATIONAL
NEEDS AND DISABILITY**

TUESDAY 28 FEBRUARY 2017

2.00 PM CC2, COUNTY HALL, LEWES

DECISIONS to be made by the Lead Cabinet Member for Education and Inclusion, Special Educational Needs and Disability, Councillor Nick Bennett.

A G E N D A

- 1 Decisions made by the Lead Cabinet Member on 16 January 2017 (*Pages 3 - 4*)
- 2 Disclosures of interests
Disclosure by all Members present of personal interests in matters on the Agenda, the nature of any interest and whether the Member regards the interest as prejudicial under the terms of the Code of Conduct
- 3 Urgent items
Notification of items which the Lead Member considers to be urgent and propose to take at the end of the appropriate part of the Agenda
- 4 School age range change - Telscombe Cliffs Primary School (*Pages 5 - 8*)
- 5 Approval of the DSG (Dedicated Schools Grant) for 2017/18 (*Pages 9 - 12*)
- 6 Admission Arrangements 2018/19 (*Pages 13 - 58*)
- 7 Any urgent items previously notified under agenda item 3

PHILIP BAKER
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20 February 2017

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LEAD MEMBER FOR EDUCATION AND INCLUSION, SPECIAL EDUCATIONAL NEEDS AND DISABILITY

MINUTES of a meeting of the Lead Member for Education and Inclusion, Special Educational Needs and Disability held at County Hall, Lewes on 16 January 2017.

Councillor Field spoke on item 4 (see minute 24)

22 DECISIONS MADE BY THE LEAD CABINET MEMBER ON 14 NOVEMBER 2016

22.1 Councillor Bennett approved as a correct record the minutes of the meeting held on 14 November 2016.

23 REPORTS

23.1 A copy of the report referred to below is contained in the Minute book.

24 SCHOOL AGE RANGE CHANGES

24.1 The Lead Member for Education and Inclusion, Special Educational Needs and Disability considered a report by the Director of Children's Services which sought approval to publish statutory notices in respect of proposals to lower the age ranges at Shinewater Community Primary School.

24.2 It was RESOLVED to: 1) authorise the publication of statutory notices in respect of a proposal to lower the age range at Shinewater Community Primary School from 3-11 to 2-11. With the proposal to take effect on 1 April 2017; and

2) delegate authority to the Director of Children's Services to amend the proposals prior to their publication if required.

Reasons

24.3 The proposal to lower the age range at Shinewater Community Primary School will help to build on work already done by the school, ensuring a fully integrated Early Years Foundation Stage to help secure good outcomes for all children.

(The meeting ended at 10.05 am)

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Agenda Item 4

Report to: **Lead Member for Education and Inclusion, Special Educational Needs and Disability**

Date: **28 February 2017**

By: **Director of Children's Services**

Title of report: **School age range change – Telscombe Cliffs Community Primary School**

Purpose of report: **To seek Lead Member approval to lower the age range at Telscombe Cliffs Community Primary School to enable the governing body of the school to incorporate the onsite third party nursery provision.**

RECOMMENDATION:

The Lead Member is recommended to authorise the change of age range at Telscombe Cliffs Community Primary School from 4 to 11 to 2 to 11 with effect from 1 April 2017.

1 Background

1.1 Telscombe Cliffs Community Primary School currently has a third party nursery provider on site who leases space from the school to operate provision for 2 to 4 year olds. The governing body wishes to take on the management of the nursery provision by lowering the school's age range from 4 to 11 to 2 to 11.

1.2 The aim of the proposal is to integrate, fully, nursery provision into the Early Years Foundation Stage within the school. The governing body wishes to ensure that the nursery continues to support the local area and to offer high quality early education delivered by experienced and well-trained staff across the Early Years Foundation Stage. The aim is to build on the work already done by the school and nursery provider to secure good outcomes for all children in the future.

2 Supporting information

2.1 The governing body consulted between 27th September and 25th October 2016 on a proposal to lower the school's age range. The governing body consulted with staff, families of children at the school, the local community and other interested parties. No responses were received during the consultation period.

2.2 On 14 November 2016, the Lead Member considered the outcome of the consultation and approved the publication of statutory notices in relation to the proposal. The statutory notice was published on 16th December 2016 in the Sussex Express. The notice was also posted on the entrance to the school. The notice and full proposal was available on the Local Authority's website.

2.3 Publication of the notice was followed by a four-week period of representation, when comments or objections could be made to the Local Authority. At the end of the representation period, no comments or objections had been received.

3. Factors to be considered by the decision maker and types of decision

3.1 Proposed changes to the organisation of maintained schools have to follow a prescribed process established by the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 (the Regulations).

3.2 The process set out above complied with these requirements.

3.3 The regulations set out a number of factors to which the Lead Member should have regard before making a final decision on the proposed changes. These are set out in **Appendix 1**.

4. Conclusion and reasons for recommendations

4.1 In conclusion, we believe the proposal to lower the age range at Telscombe Cliffs Community Primary School will help to build on work already done by the school and nursery provider, ensuring a fully integrated Early Years Foundation Stage to help secure good outcomes for all children.

4.2 For this reason, the Lead Member is recommended to authorise the change of age range at Telscombe Cliffs Community Primary School from 4 to 11 to 2 to 11 with effect from 1 April 2017

STUART GALLIMORE
Director of Children's Services

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Local Members: Councillors Ian Buchanan and Philip Howson

Background documents:

Lead Member report and minute from 14 November 2016:

<http://esmoderngov01v/ieListDocuments.aspx?CId=456&MId=2869&Ver=4> (insert up-to-date)

Appendices:

Appendix 1 – Factors to be considered before making a final decision

APPENDIX 1

The Lead Member for Education and Inclusion, Special Educational Needs and Disability should have regard to the following factors before reaching a final decision on proposed changes to maintained schools.

1	Did the published notice comply with statutory requirements	The notice complied with statutory requirements as set out in 3.1 of the report.
2	Are the proposals related to other published proposals	The proposal to lower the age range at Telscombe Cliffs Community Primary School is not related to other published proposals.
3	Was consultation carried out prior to the publication of notices	The governing body undertook a period of consultation on a proposal to lower the school's age range from 4-11 to 2-11 to allow them to take on the management of the on-site third party nursery provision.
4	Have any particular comments or objections been raised during the representation period which could directly affect the proposals	The governing body received no responses to the consultation carried out between 27 th September and the 25 th October 2016.
5	The effect on education standards and diversity of provision	The Local Authority does not believe the proposal will have a negative impact on other providers, schools and academies in the surrounding areas as it will simply change the management arrangements of the nursery.
6	The demand for places	The proposal is about changing the management arrangements for the nursery to support its long term sustainability and promote excellence across the Early Years Foundation Stage; it will not provide additional places. Based on current eligibility criteria, forecasts of need in the area indicate there are sufficient early year's places to meet demand over the coming years.
7	The impact on school size, premises and funding	The proposal will not affect the size of the school, which will remain at its current capacity. The proposals do not require a change to the premises and as such will not require funding to implement them.
8	The proposed admission arrangements	The proposal will not affect the admission arrangements of the school, which will remain as published.
9	National curriculum	Telscombe Cliffs Community Primary school will deliver the Early Years Foundation Stage for children aged 2-5 years.
10	Equal opportunities issues	<p>The Local Authority does not believe there are any sex, race or disability discrimination issues arising from the proposed changes.</p> <p>The proposal will have a positive impact by creating opportunities for children and families to access early years provision within their local area that meets their needs.</p>
11	Community cohesion	The Local Authority believes that the proposal will enhance community cohesion by bringing the nursery under the governing body's management.
12	Travel and accessibility	The Local Authority does not believe the proposal will have any impact on travel and accessibility as the nursery provision will remain in its current location.

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Committee: Lead Member for Education and Inclusion, Special Educational Needs and Disability

Date: 28 February 2017

Title of report: Dedicated Schools Grant 2017/18

By: Director of Children's Services

Purpose of report: To seek approval of the Dedicated Schools Grant (DSG) for 2017/18

RECOMMENDATION:

The Lead Member is recommended to approve the allocation of the DSG budget for 2017/18 which includes the inter block transfers as detailed in this report.

1. Background

1.1 The DSG for 2017/18 is allocated by the Department for Education (DfE) into three notional blocks with each block calculated on a different basis. Each block is subject to separate regulations as to eligible expenditure. The use of the three blocks is outlined below:

- **The Schools Block** comprises the individual schools budget which must be delegated to schools and academies through a funding formula. Maintained schools can agree to de-delegate budgets and these are spent on their behalf by the authority. There are a limited number of exceptions which enable local authorities to hold funding centrally.
- **The High Needs Block** funds provision in maintained by schools, academies, alternative provision, FE colleges and independent providers for pupils with high needs and central spending on pupils with high needs.
- **The Early Years Block** funds payments to early years' providers in settings and schools and supports central spending on early years pupils.

1.2 In addition to these three blocks the Local Authority (LA) also receives funding for 2 year olds as an additional funding block allocation.

1.3 The LA is able to realign the notional allocation of the 3 blocks using inter-block transfers. In recent years there have been transfers from the Schools Block to support pressures in the High Needs and Early Years blocks. Under the current guidance, the inter-block transfers do not require Schools Forum approval, but this is likely to change under the proposed National Funding Formula (NFF).

2. Supporting Information

2.1 Schools Block Funding

2.1.1 The Schools block for 2017/18, based on the October 2016 pupil census data, is £276.1m.

2.1.2 The DfE have again negotiated a national agreement with the Copyright Licensing Association in respect of copyright licences for written material and music for all schools and academies.

2.1.3 Growth and Falling Rolls Funds totalling £1.6m have been agreed by Schools Forum to support maintained schools and academies for key stage 1 top up, additional classes, pre-opening costs and dis-economies of scale schools costs for new schools and falling rolls.

2.1.4 Funds that were in previous years referred to as Retained ESG have now been incorporated into the Schools Block DSG (£1.01m).

2.1.5 A further £750k has been provided from County Council funds for one year to support schools funding, recognising the High Needs block pressures (see paragraph 2.2.4 below for more details).

2.2 High Needs Block (HNB)

2.2.1 The total High Needs Block funding received from DfE for 2017/18 is £46.2m.

2.2.2 The £700k inter block transfer that occurred in 2016/17 has been permanently included in this HNB allocation for 2017/18 as part of the national baselining exercise carried out by the DfE in preparation for moving towards the NFF. The DfE have also increased the allocation by £980k to reflect the expected pupil population growth in Early Years and the Primary Phase.

2.2.3 The funding for FE Colleges (£984k) has also been transferred from the DfE into this Block. This funding will then be deducted by the DfE and will therefore be a net nil effect to the budget.

2.2.4 It should be noted that despite the increased £46.2 million High Needs block allocation from the DfE compared to 2016/17, a £4.3m inter block transfer is also requested for approval by Lead Member in order to support the High Needs pressures. The pressures in this block are significant and this additional funding is required to support the following areas:

- £600k to support school top up funding where there has been an increase in demand on top of increases in the band funding for children with EHCP's.
- £1.3m to support the increase in requests for new and on-going placements with Post 16 providers.
- £2.4m to support the increase in demand for on-going placements post-19 within high cost independent special schools.

2.3 Early Years (EY) Block

2.3.1 The 2017/18 EY block funding (excluding funding for two year olds) is £21.2m and has been based on the January 2016 census data. This allocation includes £246k indicative pupil premium funding and the indicative Disability Access Fund allocation of £98k.

2.3.2 The entitlement for 3 and 4 year olds will be revised in July 2017 to reflect the January 2017 census data, as will the allocation for the Early Years Pupil Premium (EYPP).

2.4 2 Year Old Funding

2.4.1 The provisional allocation is £4.08m and will be updated in July 2017 based on the January 2017 census numbers.

2.4.2 ESCC will receive £5.20 per hour for eligible two year olds, of which 100% has to be passed through to early years providers.

2.4.3 The current hourly rate paid by East Sussex County Council is £6.00 per hour for Band A children (Band A children are those on a Safeguarding Plan or Social Care Child in Need or Health designated Child in Need) or £5.00 per hour for all other children.

2.4.4 To maintain the Council's commitment to the most vulnerable two year olds, an inter block transfer of £22,800 is requested for approval by Lead Member. This is to enable continued support to Band A children with an additional £0.80 per hour.

3 Conclusion and reasons for recommendation

3.1 The Lead Member for Education and Inclusion, Special Educational Needs and Disability is requested to approve the allocation of the DSG budget for 2017/18 which includes the inter block transfers as detailed in this report.

STUART GALLIMORE Director of Children's Services

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Local Members: All

Background document: None

Appendices: None

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Committee:	Lead Member for Education and Inclusion, Special Educational Needs and Disability.
Date:	28 February 2017
Title of Report:	Admission arrangements for the 2018/19 school year
By:	Director of Children's Services
Purpose of Report:	To determine the final school admission arrangements for the 2018/19 school year

RECOMMENDATIONS

The Lead Member is recommended to:

- 1) **agree the proposed admission arrangements for the 2018/19 school year, including the following changes to the existing arrangements:**
 - **To make a change to the community area for Eastbourne primary schools so that the Polegate and Willingdon area outside the borough boundary becomes a separate community area as detailed in paragraphs 2.1 – 2.5 below;**
 - **To change the definition of 'Looked After Children' in the County Council's admission arrangements to include children accommodated under section 20 of the Children Act 1989; and**
 - **Approve an application being made to the Office of the Schools Adjudicator for an in-year variation to enlarge the community area for Iford & Kingston CE Primary School to encompass the community area currently served by Rodmell CE Primary School in the event that a decision is taken by Cabinet in September 2017 to close Rodmell CE Primary School on 31 August 2018.**

- 2) **agree the following:**
 - **The admission priorities as set out in Appendix 1**
 - **The admission numbers as set out in Appendix 3**
 - **The co-ordinated schemes as set out in Appendix 4**

1. Background Information

1.1 The School Admissions Code 2014 states that admissions authorities must determine their admissions arrangements annually. It is also a requirement that relevant proposed changes to these arrangements are consulted on.

1.2 Consultation on the proposed admission arrangements as outlined in Appendix 1 was therefore carried out between 7 November 2016 and 15 January 2017. This satisfied the duty to consult for at least six weeks and end the consultation period by 31 January 2017. Eight responses were received during this period and the results are outlined in Appendix 6.

2. Supporting Information

Eastbourne and Polegate/Willingdon community areas

2.1 The Lead Member is asked to create a separate community area for Polegate and Willingdon primary schools by taking the boundary for the Eastbourne schools community area to the Eastbourne borough boundary in that area. This would create a separate area as shown on the attached maps (see Appendix 2).

2.2 There are three streets in the Hampden Park area which are outside the Eastbourne borough boundary (Wheelwright Close, Dutchells Way and Regnum Close). However the

Lead Member is asked to keep these within the community area for Eastbourne Primary Schools. This is because families living there would have a difficult journey through the Eastbourne area to access Polegate or Willingdon, and would not consider these to be their local schools.

2.3 This change is being proposed due to the large amount of new housing being built in the Polegate area. There is a need for additional school places in the locality, which is likely to be supplied by the provision of an extra one form of entry (1FE) at either Polegate or Willingdon schools, or the opening of a new school in the area. However, depending on where the new provision is situated, there is a risk that some Eastbourne children living close to alternative schools within Eastbourne borough would have priority for the new provision ahead of children living further afield within Polegate or Willingdon, as their homes would be geographically closer. This would result in children having to travel past their local school in order to access more distant schools within Eastbourne borough.

2.4 The community area change should help ensure that children are able to attend their nearest local school. This may result in a reduction to the Home to School Transport (HTST) budget as a number of children are transported to schools in Eastbourne at the authority's expense because there are no places at their nearest local school in Polegate or Willingdon. It may also reduce the number of appeals as parents are more likely to accept an allocated school if it is local to them.

2.5 Should this recommendation be adopted, siblings currently living in Polegate/Willingdon but attending school in Eastbourne (and vice versa) would ordinarily not benefit from the priority for siblings living in the area. However, the Lead Member is asked to treat these children as 'in area siblings' if they were admitted before these changes take effect (i.e. before 1 September 2018) to avoid disadvantaging existing pupils.

Changes to the definition of Looked After Children in the County Council's admission arrangements.

2.6 The Lead Member is also asked to agree to a change to the definition of 'Looked After Children' in the County Council's admission arrangements, to include children accommodated under section 20 of the Children Act 1989. The definition used in the current admission arrangements matches that in the School Admissions Code. This refers to section 22(1) of the Children Act 1989 and states that:

'A looked after child is a child who is (a) in the care of a local authority, or (b) being provided with accommodation by a local authority in the exercise of their social services functions'.

2.7 However it is clear that children accommodated under section 20 of the above mentioned act must also be considered as 'looked after children'. Section 20 states that 'A child is defined as looked after if he/she is in the authority's care because of a Care Order (including an interim Care Order) or if the child is provided with accommodation under Section 20 for more than 24 hours, with the parents' agreement, or with the child's consent if they are over the age of 16 years'.

2.8 It is therefore proposed that the revised definition makes reference to those children also accommodated under section 20 of the act (the wording used within the published admission arrangements is set out in Appendix 1). This change will align with the wording set out in the Children's Services Operational Instructions.

2.9 The Lead Member is advised that there are currently 77 children of statutory school age in East Sussex who are looked after under section 20 of the Act.

Application to the Office of the Schools Adjudicator

2.10 The Lead Member is advised that the governors of Rodmell CE Primary School unanimously agreed in January 2017 that the school should close on 31 August 2018 as it does not believe there is a sustainable future for the school. Before the local authority can make a final decision on closure it must follow a process, set out in legislation, which requires the publication of a statutory notice. The notice must provide the reasons for closure and the date on which it is intended the school will close. The final decision on closure will rest with Cabinet, which is likely to consider the proposal in September 2017.

2.11 In the event that a decision is taken by Cabinet in September 2017 to close Rodmell CE Primary School, the Lead Member is asked to approve an application being made to the Office of the Schools Adjudicator. The application would seek approval for an in-year variation to enlarge the community area for Iford & Kingston CE Primary School, so that it encompasses the community area currently served by Rodmell CE Primary School. This change would safeguard the interests of the pupils living in the relevant area in the future.

Other supporting information

2.12 **Appendix 3** shows the proposed admissions numbers for community and voluntary controlled schools for the 2018/19 school year. The Lead Member is asked to approve these. For ease of reference, the proposed admission numbers for own admission authority schools (as far as they are known to the county council) are included in italics. The Lead Member is asked to note that this is for information only and subject to change.

2.13 **Appendix 4** outlines the co-ordinated admission schemes for the 'normal' years of entry, i.e. reception classes, transfer between infant to junior schools and on transfer between primary and secondary school.

2.14 The Lead Member is advised that an Equality Impact Assessment has been undertaken as part of the consultation process and is attached as Appendix 5.

2.15 The Lead Member is advised that, following consultation and in light of revised pupil number forecasts, the published admission number for Meridian Community Primary School will remain at 60 for 2018/19 rather than increasing to 90.

3 Conclusion and Reason for Recommendations

3.1 The county council is required by law to carry out consultation on admission arrangements every seven years, or sooner if there are any changes to those arrangements for the schools where the local authority is the admission authority. The Lead Member is recommended to determine the attached admission arrangements for 2018/19 including the following two changes to the existing policy. These are:

- **To make a change to the community area for Eastbourne primary schools so that the Polegate and Willingdon area outside the borough boundary becomes a separate community area as detailed above;**
- **To change the definition of 'Looked After Children' in the County Council's admission arrangements to include children accommodated under section 20 of the Children Act 1989; and**
- **Approve an application being made to the Office of the Schools Adjudicator for an in-year variation to enlarge the community area for Iford & Kingston CE Primary School to encompass the community area currently served by Rodmell CE Primary School in the event that a decision is taken by Cabinet in September 2017 to close Rodmell CE Primary School on 31 August 2018.**

3.2 The determined admission arrangements for community and voluntary controlled schools will be published on the East Sussex County Council website by 15 March 2017 as

required under current legislation. Any objections to these arrangements can then be made to the Office of the Schools Adjudicator until 15 May 2017. The final arrangements will be published in the composite prospectus both online and in hard copy by 12 September 2017 as required by the School Admissions Code 2014.

STUART GALLIMORE

Director of Children's Services

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Local Members: All

Background Documents:

- School Standards and Framework Act 1998
- The School Admissions (Co-ordination of Admission Arrangements) (England) Regulations 2012
- The School Admissions (Admission Arrangements) (England) Regulations 2014
- The School Information (England) Regulations 2012
- School Admissions Code 2014
- [Lead Member report – October 2016 – Admission arrangements for 2018/19 year](#)

Appendices:

Appendix 1 – Proposed Admissions criteria

Appendix 2 - Maps showing the area in question

Appendix 3 - Admission numbers

Appendix 4 - Co-ordination Admission Schemes – normal year of entry

Appendix 5 – Equalities Impact Assessment

Appendix 6 - Summary of consultation responses

Proposed Admissions criteria for community and voluntary controlled schools in East Sussex - these will also apply to Priory School and Hailsham Community College

- 1. Looked after children and children who were looked after, but ceased to be so because they were adopted or became subject to a Child Arrangements Order or Special Guardianship Order immediately following being looked after.**
- 2. Children who will have a brother or sister at the school (or linked infant or junior school) at the time of admission and who live at the same address, within the pre-defined community area***

The definitions of 'sibling' and community areas are below.

- 3. Children wishing to transfer between a linked infant and junior school (as per schools listed in the admission booklet).**
- 4. Other children living within a pre-defined community area**

Each home address within the county falls within a community area although living within the community area does not guarantee a place. The admission booklet 'applying for a school place 2017-2018' shows details of the community areas for each school.

- 5. Children who will have a brother or sister at the school (or linked infant or junior school) at the time of admission who live at the same address, outside the pre-defined community area.***

The definition of sibling is as shown below

- 6. Other children living outside the pre-defined community area.**

Tiebreaker

- In the event of oversubscription within any category, place allocation will be decided by prioritising applications on the basis of home to school distance measured in a straight line (as the crow flies). This will be measured from the delivery point (supplied by Royal Mail) in the school to the delivery point in the family home. For split site schools, we will measure to the site where the child will attend for the majority of lessons.
- In the event that applicants cannot be prioritised using the tie-breaker above because the distance measurements are the same, the Authority will use random allocation to decide which children will be offered the remaining places. This will be done electronically using the Authority's admissions software.

**** Children who have a brother or sister who joined the school prior to 1 September 2017 (1 September 2012 for Frant CE Primary School) and who is still on roll will be admitted under the previous criteria which gave priority to brothers and sisters regardless of whether they live in the pre-defined community area or not.***

Twins and children from multiple births (all community and voluntary controlled schools).

Where the admission of both twins or all siblings from a multiple birth would cause the school to rise above its Planned Admission Number, both twins or all of the siblings will be

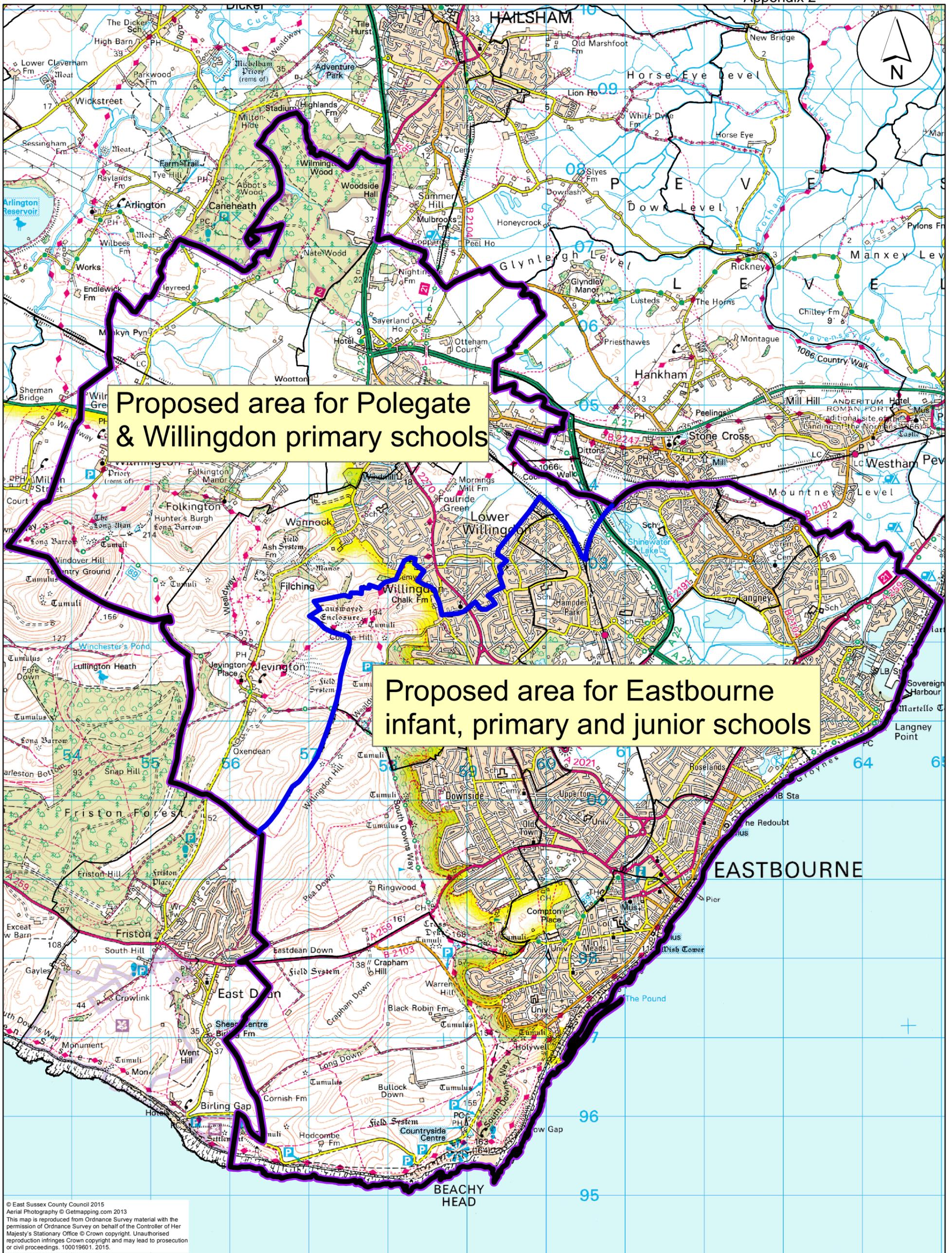
admitted. Where the admission of the additional child or children from multiple births to an infant class would result in the PAN rising above 30 (or multiples of 30), the additional child/children would be exceptions to the Infant Class Size legislation throughout the infant phase or until the number in the year group reduced to the PAN.

Definitions used by East Sussex County Council:

Community area: each home address in the county falls within a community area for a school (or schools) although living in a community area does not guarantee a place. Please see the maps on pages 24,26,28 and 45 of the booklet 'Apply for a school 2017-18' for information as to which areas are applicable to each school.

Looked after child: a 'looked after child' is a child who is (a) in the care of a local authority, or (b) being provided with accommodation by a local authority in the exercise of their social services function at the time of making an application to a school (see section 22(1) of the Children Act 1989. Children accommodated under section 20 of the Children Act 1989 are included in this priority. Previously looked after children are children who were looked after, but ceased to be so because they were adopted or became subject to a Child Arrangements Order or Special Guardianship Order.

Sibling: for admissions purposes, children are siblings if they are full/half or adoptive/foster brother or sister living in the same household. We do not include step-children for the purposes of school admissions i.e. two families coming together.



Proposed area for Polegate & Willingdon primary schools

Proposed area for Eastbourne infant, primary and junior schools

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Map showing the proposed new area for Polegate & Willingdon primary schools split from the Eastbourne schools area

East Sussex County Council
 County Hall
 St Annes Crescent
 Lewes



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Admission numbers

The tables below show the proposed planned admission numbers (PANs) for schools where the County Council is the admission authority. (Proposed changes are shown in bold). Establishments listed in *italics* are their own admission authorities, and their admission numbers are included for reference only, and may be subject to change.

1. Eastbourne area

School	Admission number 2018/19
The Causeway	189
<i>The Cavendish School (Academy)</i>	180
<i>The Eastbourne Academy</i>	180
<i>Gildredge House</i>	144 from 120
<i>Ratton School Academy Trust</i>	243
<i>St Catherine's College (Academy)</i>	216 from 208
Willingdon Community School	200

2. Hastings/St Leonards area

School	Admission number 2018/19
<i>Ark Helenswood Academy (Girls)</i>	216
<i>Ark William Parker (Boys)</i>	240
<i>The Hastings Academy</i>	180
<i>The St Leonards Academy</i>	300

3. Other areas of the County

School	Admission number 2017/18
<i>Beacon Academy</i>	220
<i>Bexhill Academy</i>	330
Chailey School	162
Claverham Community College	230
<i>Hailsham Community College Academy Trust</i>	240
Heathfield Community College	240
<i>Peacehaven Community School (Trust)</i>	180
<i>Priory School (Trust)</i>	232
<i>Ringmer Community College Academy</i>	150
Robertsbridge Community College	130
<i>Rye College</i>	150
<i>Rye Studio (year 10 entry)</i>	50
<i>St Richard's Catholic College (VA)</i>	200
<i>Seaford Head Academy</i>	240

<i>Seahaven Academy</i>	150
Uckfield Community Technology College	270
Uplands Community College	168
<i>utc@harbourside (year 10 entry)</i>	60

Primary, Junior and Infant Schools - proposed admissions numbers for the 2018/19 school year.

1. Bexhill area

School	Admission number 2018/19
All Saints Church of England Primary School	30
Chantry Community Primary School	30
<i>Glenleigh Park Primary Academy</i>	75
<i>King Offa Primary Academy</i>	60
Little Common School	90
<i>Pebsham Primary Academy</i>	30
<i>St Mary Magdalene Catholic Primary School (VA)</i>	30
<i>St Peter and St Paul CE Primary School (VA)</i>	60

2. Crowborough area

School	Admission number 2018/19
Ashdown Primary School	60
Jarvis Brook School	30
<i>St John's CE Primary School (VA)</i>	30
<i>St Mary's RC Primary School (VA)</i>	30
<i>Sir Henry Fermor CE Primary Academy</i>	60

3. Eastbourne area (including Polegate and Willingdon)

School	Admission number 2018/19
Bourne Primary School	60
<i>The Cavendish School (Academy)</i>	60
<i>Gildredge House (Free school)</i>	60 from 56
<i>Heron Park Primary Academy</i>	60
Langney Primary School	60
Motcombe Community Infant School (for pupils aged 4-7)	120
<i>Oakwood Primary Academy</i>	60
Ocklynge Junior School (for pupils aged 7-11)	210
Parkland Infant School (for pupils aged 4-7)	60
Parkland Junior School (for pupils aged 7-11)	60

Pashley Down Infant School (for pupils aged 4-7)	90
Polegate School	60
Roselands Infant School (for pupils aged 4-7)	90
Shinewater Primary School	60
St Andrews Church of England Infant School (4-7)	90
<i>St Johns Meads Church of England Primary School (VA)</i>	30
<i>St Thomas a Becket Catholic Infant school (4-7) (VA)</i>	60
<i>St Thomas a Becket Catholic Junior School (7-11) (VA)</i>	66
Stafford Junior School (for pupils aged 7-11)	90
<i>The Haven Primary School (VA)</i>	60
Tollgate Community Junior School (for pupils aged 7-11)	90
West Rise Community Infant School (for pupils aged 4-7)	90
West Rise Community Junior School (for pupils aged 7-11)	90
Willingdon Primary School	60

4. Hailsham

School	Admission number 2018/19
<i>Grovelands Community School (Trust)</i>	90
<i>Burfield Academy (formerly Hailsham Academy)</i>	30
<i>Hawkes Farm Primary School (Academy)</i>	60
Hellingly Community Primary School	30
<i>Phoenix Academy (formerly Marshlands Academy)</i>	30
<i>White House Academy</i>	30

5. Hastings/St Leonards area

School	Admission number 2018/19
<i>All Saints Church of England Junior Academy (7-11)</i>	60
<i>Ark Blacklands Primary Academy</i>	90
<i>Ark Little Ridge Primary Academy</i>	60
<i>The Baird Primary Academy</i>	60
Castledown Community Primary and Nursery School	60
<i>Christ Church CE Primary School (VA)</i>	60
<i>Churchwood Primary Academy</i>	30
<i>Dudley Infant Academy (4-7)</i>	60
<i>Hollington Primary Academy</i>	60
<i>Ore Village Primary Academy</i>	60
<i>Robsack Wood Primary Academy</i>	60

<i>Sacred Heart Catholic Primary School (VA)</i>	30
<i>St Leonards CE Primary Academy</i>	60
<i>St Mary Star of the Sea Primary School (VA)</i>	30
<i>St Paul's Church of England Primary School (Academy)</i>	90
Sandown Primary School	60
<i>Silverdale Primary Academy</i>	90
<i>West St Leonards Primary Academy</i>	30

6. Heathfield

School	Admission number 2018/19
<i>All Saints and St Richard's CE Primary School (VA)</i>	20
Cross-In-Hand Church of England Primary School	60
Parkside Community Primary School	30

7. Lewes area

School	Admission number 2018/19
Pells Church of England Primary School	N/A*
<i>St Pancras Catholic Primary School (VA)</i>	20
South Malling Church of England Primary School	30
Southover Church of England Primary School	60
Wallands Community Primary School	60
<i>Western Road Community Primary School (Trust)</i>	30

*Pells CE School is scheduled to close with effect from August 2017. It is not therefore proposed to admit further children to this school.

8. Newhaven area

School	Admission number 2018/19
Denton Community School	30
Harbour Primary and Nursery School	60
<i>Breakwater Academy</i>	30
<i>High Cliff Academy (formerly Newhaven Academy)</i>	30

9. Peacehaven/Telscombe Cliffs area

School	Admission number 2018/19
Meridian Primary School	60*
Peacehaven Heights Primary School	60
Telscombe Cliffs Community Primary School	90

10. Rye area

School	Admission number 2018/19
<i>Rye Community Primary Academy</i>	60

11. Seaford area

School	Admission number 2018/19
<i>Annecey Catholic Primary School (VA)</i>	30
Chyngton School	60
Cradle Hill Community Primary School	90
Seaford Primary School	60

12. Uckfield area

School	Admission number 2018/19
Harlands Primary School	30
<i>Holy Cross CE Primary School (VA)</i>	30
<i>Little Horsted CE Primary School (VA)</i>	15
Manor Primary School	60
Rocks Park Primary School	30
<i>St Philip's Catholic Primary School (VA)</i>	30

13. Rural Primary Schools

School	Admission number 2017/18
Alfriston School	15
Barcombe Church of England Primary School	20
Battle and Langton Church of England Primary School	60
Beckley Church of England Primary School	15
<i>Blackboys Church of England Primary School (VA)</i>	20
Bodiam Church of England Primary School	15
Bonnors Church of England Primary School	15
Brede Primary School	20
Broad Oak Community Primary School	20
Burwash Church of England Primary School	25
Buxted Church of England Primary School	25
Catsfield Church of England Primary School	15
Chailey St Peter's Church of England Primary School	20
Chiddingly Primary School	15
Crowhurst Church of England Primary School	15
Dallington Church of England Primary School	15

Danehill Church of England Primary School	12
Ditchling (St Margaret's) Church of England Primary School	20
East Hoathly Church of England Primary School	15
Etchingam Church of England Primary School	15
Firle Church of England Primary School	15
Five Ashes Church of England Primary School	10
Fletching Church of England Primary School	15
Forest Row Church of England Primary School	45
<i>Framfield Church of England Primary School (VA)</i>	15
Frant Church of England Primary School	15
<i>Groombridge St Thomas Church of England Primary School (VA)</i>	30
<i>Guestling-Bradshaw Church of England Primary School (VA)</i>	30
Hamsey Primary School	15
Hankham Primary School	20
Herstmonceux Church of England Primary School	30
High Hurstwood Church of England Primary School	15
Hurst Green Church of England Primary School	20
Icklesham Church of England Primary School	15
Iford and Kingston Church of England Primary School	30
Laughton Community Primary School	15
<i>Mark Cross Church of England Primary School (VA)</i>	15
Mayfield Church of England Primary School	30
Maynards Green Community Primary School	30
Netherfield Church of England Primary School	20
Newick Church of England Primary School	30
Ninfield Church of England Primary School	20
Northiam Church of England Primary School	15
Nutley Church of England Primary School	15
Park Mead Primary School	15
Peasmarsh Church of England Primary School	15
Pevensey and Westham Church of England Primary School	60
Plumpton Primary School	20
Punnetts Town Community Primary School	15
Ringmer Primary School	45
<i>Rodmell Church of England Primary School (VA)</i>	9**
Rotherfield Primary School	30
<i>St Mark's Church of England Primary School (VA)</i>	13
<i>St Mary the Virgin Church of England Primary School (VA)</i>	20
St Michaels Church of England Primary School (Playden)	15
St Michaels Primary School (Withyham)	15

<i>St Thomas' Church of England Primary School (Winchelsea) (VA)</i>	20
Salehurst Church of England Primary School	30
Sedlescombe Church of England Primary School	30
Staplecross Methodist Primary School	15
Stone Cross School	60
Stonegate Church of England Primary School	15
Ticehurst and Flimwell CE Primary School	30
Wadhurst Church of England Primary School	45
Westfield School	30
Wivelsfield Primary School	30

***the Lead Member is advised that following consultation, the admission number for Meridian will remain at 60.**

****the Lead Member is advised that the governors have proposed to close the school with effect from August 2018.**

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Co-ordination Admission Schemes for the normal year of entry

Attached are the proposed co-ordinated schemes for primary and secondary admissions at the normal point of entry. The changes to both schemes are minimal.

Introduction

Local Authorities (LAs) are required each year to draw up a scheme for co-ordinating the normal admissions round to primary and secondary schools. The aim of the scheme is to ensure that all parents receive a single offer of a school place on the national allocation date. If the prescribed date falls on a weekend or bank holiday, offers are sent on the next working day.

The scheme proposed by the County Council will be the subject of consultation with all maintained schools in the county and neighbouring local authorities.

Secondary scheme 2018/19

Key dates

Admissions information made available	September 2017
Closing date for applications	31 October 2017
Exchange of preference data between local authorities	27 November 2017
Admission authorities in East Sussex to advise LA of ranked order	5 January 2018
Finalise allocations	10 February 2018
Allocations confirmed to secondary schools	23 February 2018
Decisions conveyed to parents by email	1 March 2018
Closing date for appeals	16 April 2018
'On time' appeals heard	April - June 2018

Applications made in the main round

1. The co-ordinated scheme is based on all preferences expressed by parents being treated equally but where more than one school can be offered, the highest possible school named by the parent will be allocated. It will be for individual admission authorities to prioritise all preferences expressed for their schools against the published admissions criteria, which they have consulted on and determined. Individual academies can agree that the Authority ranks applicants on the academy's behalf. This would be a traded service. The only valid preferences are those stated on the LA common application form which is available online or in hard copy. Other admission authorities in East Sussex must not use any other application form. A separate, supplementary information form can only be used where additional information is required to determine admission within their published criteria. This form will be obtainable from and returnable to that admissions authority (voluntary aided (VA) schools). A supplementary information form on its own is not a valid application. Applicants living outside East Sussex must use the common application form that is supplied by their home local authority.

2. The process will begin with the information on admission arrangements and methods of application being made available early in September 2017.
3. The LA application form enables parents to name up to any three maintained schools stated in order of preference. The form should be completed and submitted to the LA by the closing date of 31 October 2017.
4. By 27 November 2017, East Sussex will exchange preference data with any local authority where an application has been received.
5. By 5 January 2018, East Sussex schools that are their own admissions authorities will consider their applications, apply their published admissions criteria and provide the LA with a list of those applicants ranked accordingly.
6. By 19 January 2018, other local authorities will advise East Sussex of decisions reached on applications for their schools from East Sussex residents. East Sussex will apply its published admissions criteria to those schools where it is the admissions authority and determine the outcome of each preference expressed.
7. By 10 February 2018, the LA will match the ranked lists against the parental preferences to ensure only one place is allocated per child. Qualifying late applications received up to 1 February will be included in this process.

Where a child is –

- Eligible for a place at only one school given on the application form, that school will be allocated
 - Eligible for two or three schools, a place will be allocated at the highest-ranking school
 - Not eligible for a place at any of the named schools and the child lives in East Sussex, a place will be allocated at the nearest school to the home with a space.
8. In the period 10 February to 21 February 2018, decision notifications will be prepared. The LA where the child lives will be responsible for sending these to parents.
 9. In the week commencing 19 February 2017 lists will be prepared of children allocated places at each secondary school in East Sussex, and these will be sent to the secondary schools in question. Details of offers will also be made available to East Sussex primary schools.
 10. Wednesday 1 March 2018 – allocation decisions will be notified to parents by email. Letters will only be sent where specifically requested, or where the application has been made on a paper form. Where a preference is not being met, the notification email will signpost parents to the East Sussex County Council website where information can be found explaining to parents how places have been allocated at their preferred school(s), and advising parents of the right of appeal.

Applications received after 31 October 2017 but by 1 February 2018

1. If an application form is received after 31 October 2017, it will still be passed to the relevant admissions authority with a note that it has been received after the closing date. It will be for the admissions authority to decide how it wishes to respond to the application. This will continue up until 1 February 2018.

2. If an application is received after 31 October 2017 but before 1 February 2018, together with proof of a change of address* since the closing date, or proof of another good reason why it was not possible for the family to apply on time, it will be treated as on time in respect of community and voluntary controlled schools. If there is no proof, or the reason is not considered valid by the LA, the application will be treated as late. There is no separate right of appeal against the decision as to whether the application is treated as on time or late.
3. Applicants whose forms are received between these dates will be sent a decision on 1 March 2018. For applications received after 2 February 2018, we will aim to send a decision letter within 20 school days.

Changes of preference

1. Parents may change their preferences at any stage up to the closing date of 31 October 2017. After 31 October 2017, we will not allow preferences to be changed without good reason. The LA will judge each case on its merits but will only usually accept a change of preference where there has been a significant change of circumstances (such as a house move*) thus making the original preferences no longer practical. Parents will be required to put their reasons for changing their preferences in writing, and in all cases, supporting evidence will be required. If the change of preference is agreed, a decision will be sent on 1 March 2018 provided the request was received by 1 February 2018. Such applicants will be advised that they have the right of appeal if the revised preference cannot be met.

**In the case of house moves, proof of ownership or tenancy on an East Sussex property (such as exchange of contracts or signed tenancy agreement of one year) is required if an address is to be used for the purpose of allocating a school place. If an applicant cannot provide evidence, the application cannot be accepted.*

2. There is no right of appeal where the LA does not accept the change of preference.

No application form received by 1 February 2018

No secondary transfer places will be allocated unless a completed application form has been received.

Applications received on or after 1 March 2018

1. Only preferences stated on the LA application will be valid. If the preference is for an 'own authority' school, the LA will pass details to the school for a decision. The school must then advise the LA within fourteen days as to whether a place can be allocated so the LA can formally advise the parent of the decision. Where the preference is for a community or voluntary controlled school, the LA will determine the outcome. If there are no places available at one of the preferred schools a place will be allocated at the nearest school with a place available (if the identified school is its own admissions authority the LA will ask the school whether a place can be allocated). We will aim to process late applications within twenty school days. Any refused preference will carry the right of appeal.
2. Where the preference is for a school in a neighbouring authority, details will be passed to that authority for a decision to be made. Any authority refusing an application should advise the LA of the decision so the LA can consider allocating an alternative school.

3. The Co-ordinated Scheme will end on 31st August each year. Applications received after this date will be processed by individual schools.

Appeals

1. Parents must be allowed at least twenty school days from the date of notification that their application was unsuccessful to prepare and submit their written appeal. The appeal must be against any refused preference, thus if a parent puts on the appeal form a school which did not feature as a preference on the original application form an appeal will not be arranged.
2. Parents submitting an appeal will be entitled to at least ten school days' notice of the date of the appeal. Papers relevant to the appeal will be sent seven working days before the hearing. Appeals must be heard within forty school days of the deadline for lodging appeals. Appeals for late applications will be included with those being heard for the same admission round wherever possible. If this is not possible, they must be heard within thirty school days of the appeal being lodged.
3. The LA must be advised of the outcome of all appeals.

Waiting lists

1. The LA will operate waiting lists for community and voluntary controlled schools so that it is clear as to which child will be offered any place which becomes vacant. Such waiting lists will be operational after the closing date for appeals to be lodged. The waiting list must reflect the admissions criteria. The LA must be notified by admissions authorities of any places that are subsequently allocated from the waiting list. Until co-ordination ends, it remains for the LA to offer places to parents when places become available and are allocated from the waiting list whether the admissions authority is the LA or not.
2. Waiting lists will operate until the end of Term 2, 2018 for Year 7 admissions.

Primary scheme 2018/19

Key dates

Admissions information made available	September 2017
Closing date for applications	15 January 2018
Preferences for each school established	26 January 2018
Exchange of preference data between local authorities	9 February 2018
Admission authorities in East Sussex advise LA of ranked order	16 March 2018
Finalise allocations	29 March 2018
Allocations confirmed to primary schools	16 April 2018
Decisions conveyed to parents by email	16 April 2018
Closing date for appeals	18 May 2018
Appeals heard	June/July

Applications made in the main round

1. The co-ordinated scheme is based on all preferences expressed by parents being treated equally but where more than one school can be offered, the highest possible school named by the parent will be allocated. It will be for individual admission authorities to prioritise all preferences expressed for their schools against the published admissions criteria, which they have consulted on and determined. Individual academies can agree that the Authority ranks applicants on the academy's behalf. This would be a traded service. The only valid preferences are those stated on the LA common application form which is available online or in hard copy. Other admission authorities in East Sussex must not use any other application form. A separate, supplementary information form can only be used where additional information is required to determine admission within their published criteria. This form will be obtainable from and returnable to that admissions authority (voluntary aided (VA) schools). A supplementary information form on its own is not a valid application. Applicants living outside East Sussex must use the common application form that is supplied by their home local authority.
2. The process will begin with the information on admission arrangements and methods of application being made available early in September 2017.
3. The LA application form enables parents to name up to any three maintained schools stated in order of preference. It should be completed and submitted to the LA by the closing date of 15 January 2018.
4. By 26 January 2018 East Sussex will exchange preference data with any local authority where an application has been received.
5. By 9 February 2018 East Sussex schools that are their own admission authorities will consider all applications for their school, apply their published admissions criteria and provide the LA with a list of those applicants ranked accordingly.
6. By 16 March 2018 other local authorities will advise East Sussex of decisions reached on applications for their schools from East Sussex residents. East Sussex will apply its

published admissions criteria to those schools where it is the admissions authority and determine the outcome of each preference expressed.

7. By 29 March 2018, the LA will match the ranked lists against the parental preferences to ensure only one place is allocated per child. Qualifying late applications received before 16 March will be included in this process.

Where a child is –

- Eligible for a place at only one school given on the application form that school will be allocated
 - Eligible for two or three schools, a place will be allocated at the highest-ranking school
 - Not eligible for a place at any of the named schools and the child lives in East Sussex, a place will be allocated at the nearest school to the home with a space.
8. In the period 3 April 2017 to 13 April 2018 decision notifications will be prepared. The LA where the child lives will be responsible for sending these to parents.
 9. On 16 April 2018 lists will be prepared of children allocated places at each primary school in East Sussex, and these will be sent to the primary schools in question.
 10. 16 April 2018 – allocation decisions will be notified to parents by email. Letters will only be sent where specifically requested, or where the application has been made on a paper form. Where a preference is not being met, the notification email will signpost parents to the East Sussex County Council website, where information can be found explaining to parents how places have been allocated at their preferred school(s), and advising parents of the right of appeal.

Applications received after 15 January 2018 but by 31 March 2018

1. If an application form is received after 15 January 2018, it will still be passed to the relevant admissions authority with a note that it has been received after that date. It will be for the admissions authority to decide how it wishes to respond to the application. This will continue up until 31 March 2018.
2. If an application is received after 15 January 2018 but before 16 March 2018, together with proof of a change of address* since the closing date, or proof of another good reason why it was not possible for the family to apply on time, it will be treated as on time in respect of community and voluntary controlled schools. If there is no proof, or the reason is not considered valid by the LA, the application will be treated as late. There is no separate right of appeal against the decision as to whether the application is treated as on time or late.
3. Applicants whose forms are received between these dates will be sent a letter on 16 April 2018. For applications received after 31 March 2018, we will aim to send a decision letter within 20 school days.

Changes of preference

1. Parents may change their preferences at any stage up to the closing date of 15 January 2018. After 15 January 2018, we will not allow preferences to be changed without an exceptional reason. The LA will judge each case on its merits but will only usually accept a change of preference where there has been a significant change of

circumstances (such as a house move*) thus making the original preferences no longer practical. Parents will be required to put their reasons for changing their preferences in writing, and in all cases, supporting evidence will be required. If the change of preference is agreed, a decision will be sent on 16 April 2018 provided the request was received by 31 March 2018. Such applicants will be advised that they have the right of appeal if the revised preference cannot be met.

**In the case of house moves, proof of ownership or tenancy on an East Sussex property (such as exchange of contracts or signed tenancy agreement of one year) is required if an address is to be used for the purpose of allocating a school place. If an applicant cannot provide evidence, the application cannot be accepted.*

2. There is no right of appeal where the LA does not accept the change of preference.

No application form received

1. No Reception or junior transfer places will be allocated unless a completed application form has been received.

Applications received on or after 31 March 2018

1. Only preferences stated on the LA application will be valid. If the preference is for an 'own authority' school, the LA will pass details to the school for a decision. The school must then advise the LA within fourteen days as to whether a place can be allocated so the LA can formally advise the parent of the decision. Where the preference is for a community or voluntary controlled school, the LA will determine the outcome. If there are no places available at one of the preferred schools a place will be allocated at the nearest school with a place available (if the identified school is its own admission authority the LA will ask the school whether a place can be allocated). We will aim to process late applications within twenty school days. Any refused preference will carry the right of appeal.
2. Where the preference is for a school in a neighbouring authority, the details will be passed to that authority for a decision to be made. Any authority refusing an application should advise the LA of the decision so the LA can consider allocating an alternative school.
3. The Co-ordinated Scheme will end on 31 August each year. Applications received after this date will be processed by individual schools.

Appeals

1. Parents must be allowed at least twenty school days from the date of notification that their application was unsuccessful to prepare and submit their written appeal. The appeal must be against any refused preference, thus if a parent puts on the appeal form a school which did not feature as a preference on the original application form an appeal hearing will not be arranged.
2. Parents submitting an appeal will be entitled to at least ten school days' notice of the date of the appeal. Papers relevant to the appeal will be sent seven working days before the hearing. Appeals must be heard within forty school days of the deadline for lodging appeals. Appeals for late applications will be included with those being heard for the same admission round wherever possible. If this is not possible, they must be heard within thirty school days of the appeal being lodged.
3. The LA must be advised of the outcome of all appeals to other admission authorities.

Waiting lists

1. The LA will operate waiting lists for all community and voluntary controlled primary, infant and junior schools so that it is clear which child will be offered any place which becomes vacant. Such waiting lists will be operational after the closing date for appeals to be lodged. The waiting list must reflect the admissions criteria. The LA must be notified by admissions authorities of any places that are subsequently allocated from the waiting list. Until co-ordination ends, it remains for the LA to offer places to parents when places become available and are allocated from the waiting list whether the admissions authority is the LA or not.

Waiting lists will operate until the end of Term 2, 2018.

Admission of summer born children to Reception classes.

Parents of summer born children who are due to start in reception can request that their child starts on a part-time basis or joins Reception later during the school year.

However, parents can also request that their child starts in Reception in the September following their fifth birthday (i.e. when they would normally be starting Year 1). Parents making such a request should do so during the normal admission round.

The Authority will consider these requests on a case-by-case basis, taking into consideration the child's academic, social and emotional development together with the Headteacher and parent's views. If the request is refused but the child is offered a place in the school (but not the preferred year group) the parent would not have the right of appeal.

If the request is agreed, parents will need to be clear that this does not mean the child will remain in the year below their chronological age group for all of their school career, particularly on transfer to secondary school

Appendix 5

Equality Impact Assessment

Strategy or Policy Template

Name of the strategy or policy
Admissions arrangements for the 2018/19 school year

File ref:		Issue No:	
Date of Issue:	February 2017	Review date:	February 2017

Contents

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Part 1 The Public Sector Equality Duty and Equality Impact Assessments (EIA)

1.1 The Council must have due regard to its Public Sector Equality Duty when making all decisions at member and officer level. An EIA is the best method by which the Council can determine the impact of a proposal on equalities, particularly for major decisions. However, the level of analysis should be proportionate to the relevance of the duty to the service or decision.

1.2 This is one of two forms that the County Council uses for Equality Impact Assessments, both of which are available on the intranet. This form is designed for any proposal, strategy or policy. The other form looks at services or projects.

1.3 The Public Sector Equality Duty (PSED)

The public sector duty is set out at Section 149 of the Equality Act 2010. It requires the Council, when exercising its functions, to have “due regard” to the need to

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. (see below for “protected characteristics”

These are sometimes called equality aims.

1.4 A “protected characteristic” is defined in the Act as:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race (including ethnic or national origins, colour or nationality)
- religion or belief;
- sex;
- sexual orientation.

Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.

The previous public sector equalities duties only covered race, disability and gender.

1.5 East Sussex County Council also considers the following additional groups/factors when carry out analysis:

- Carers – A carer spends a significant proportion of their life providing unpaid support to family or potentially friends. This could be caring for a relative, partner or friend who is ill, frail, disabled or has mental health or substance misuse problems. [Carers at the Heart of 21st Century Families and Communities, 2008]
- Literacy/Numeracy Skills

- Part time workers
- Rurality

1.6 Advancing equality (the second of the equality aims) involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristic
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people including steps to take account of disabled people's disabilities
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

NB Please note that, for disabled persons, the Council must have regard to the possible need for steps that amount to positive discrimination, to "level the playing field" with non-disabled persons, e.g. in accessing services through dedicated car parking spaces.

1.6 Guidance on Compliance with The Public Sector Equality Duty (PSED) for officers and decision makers:

1.6.1 To comply with the duty, the Council must have "due regard" to the three equality aims set out above. This means the PSED must be considered as a factor to consider alongside other relevant factors such as budgetary, economic and practical factors.

1.6.2 What regard is "due" in any given case will depend on the circumstances. A proposal which, if implemented, would have particularly negative or widespread effects on (say) women, or the elderly, or people of a particular ethnic group would require officers and members to give considerable regard to the equalities aims. A proposal which had limited differential or discriminatory effect will probably require less regard.

1.6.3 *Some key points to note :*

- The duty is regarded by the Courts as being very important.
- Officers and members must be aware of the duty and give it conscious consideration: e.g. by considering open-mindedly the EIA and its findings when making a decision. When members are taking a decision, this duty can't be delegated by the members, e.g. to an officer.
- EIAs must be evidence based.
- There must be an assessment of the practical impact of decisions on equalities, measures to avoid or mitigate negative impact and their effectiveness.
- There must be compliance with the duty when proposals are being formulated by officers and by members in taking decisions: the Council can't rely on an EIA produced after the decision is made.
- The duty is ongoing: EIA's should be developed over time and there should be evidence of monitoring impact after the decision.
- The duty is not, however, to achieve the three equality aims but to consider them – the duty does not stop tough decisions sometimes being made.

- The decision maker may take into account other countervailing (i.e. opposing) factors that may objectively justify taking a decision which has negative impact on equalities (for instance, cost factors)

1.6.4 In addition to the Act, the Council is required to comply with any statutory Code of Practice issued by the Equality and Human Rights Commission. New Codes of Practice under the new Act have yet to be published. However, Codes of Practice issued under the previous legislation remain relevant and the Equality and Human Rights Commission has also published guidance on the new public sector equality duty.

Part 2 – Aims and implementation of the proposal, strategy or policy

2.1 What is being assessed?

a) Proposal or name of the strategy or policy.

Admission arrangements for community and voluntary controlled schools in East Sussex for admissions in September 2018.

b) What is the main purpose or aims of proposal, strategy or policy?

The proposal is to make the two following separate changes to the admission arrangements for community and voluntary controlled schools for entry in September 2018:

- Create a separate community area for Polegate and Willingdon Primary schools by dividing the current community area for Eastbourne Primary schools so that that part of the Polegate/Willingdon area which is outside the borough boundary becomes a separate community area for those two schools. There are three streets in the Hampden Park area which are outside the borough boundary but the proposal is for these to remain in the Eastbourne Primary schools area.
- Amend the definition of 'looked after child' in the county council's admission policy to include children accommodated under section 20 of the Children Act 1989.

c) Manager(s) and section or service responsible for completing the assessment

Jo Miles, Admissions and Transport Manager, Admissions and Transport Team,
Communication, Planning and Performance

2.2 Who is affected by the proposal, strategy or policy? Who is it intended to benefit and how?

The first change will affect any parent/carer/child applying for a community or voluntary controlled school place in East Sussex for entry in September 2018 in the Eastbourne/Polegate/Willingdon area. It will mean that children living in Polegate or Willingdon will be more likely to be offered places at Polegate or Willingdon Primary school, as they will be prioritised for places ahead of children living in Eastbourne borough. However, it will mean that children living in Eastbourne borough may be less likely to be offered places at Polegate or Willingdon Primary School.

This change to admissions arrangements should help ensure that children are able to attend a local school. It has arisen because there are a number of homes in Polegate and Willingdon that are geographically further from Polegate or Willingdon Primary schools than some addresses within Eastbourne borough, which has led to children within Eastbourne borough, who have access to other local schools, being offered places at Polegate or Willingdon Primary school, at the expense of children living further afield in Polegate or Willingdon, who then have to travel past those schools in order to attend more distant schools in Eastbourne borough.

Home to School transport expenditure may decrease as potentially fewer children will have to be transported at the authority's expense due to lack of places at local schools. The number of appeals may reduce as parents are more likely to accept an allocated school if it is local to them.

The proposal to amend the definition of 'looked after child' will affect those children who are accommodated under section 20 of the Children Act 1989 in that it will prioritise them for places at their preferred school. It is possible that this may displace other children, but given that there are only 77 such children of compulsory school age in East Sussex and many of them apply for schools which are not oversubscribed, the impact is not likely to be significant. This is a very vulnerable group of children and it is important to protect their interests.

2.3 How is, or will, the proposal, strategy or policy be put into practice and who is, or will be, responsible for it?

The admissions policy for community and voluntary controlled schools for entry in September 2018 will change as set out in **2.1b**. Following the adoption of the new policy the Admission team will implement it as part of the schools admissions process.

Lou Carter, Assistant Director, Communication, Planning and Performance
(Children's Services)

2.4 Are there any partners involved? E.g. NHS Trust, voluntary/community organisations, the private sector? If yes, how are partners involved?

Community and voluntary controlled schools, voluntary aided schools and academies.

2.5 Is this project or procedure affected by legislation, legislative change, service review or strategic planning activity?

School Admissions Code 2014.

The School Admissions (Infant Class size) regulations 2012.

Part 3 – Methodology, consultation, data and research used to determine impact on protected characteristics.

3.1 List all examples of quantitative and qualitative data or any consultation information available that will enable the impact assessment to be undertaken.

Types of evidence identified as relevant have marked against them			
	Employee Monitoring Data		Staff Surveys
	Service User Data		Contract/Supplier Monitoring Data
X	Recent Local Consultations		Data from other agencies, e.g. Police, Health, Fire and Rescue Services, third sector
X	Complaints		Risk Assessments
	Service User Surveys	X	Research Findings
X	Census Data	X	East Sussex Demographics
	Previous Equality Impact Assessments		National Reports
	Other organisations Equality Impact Assessments		Any other evidence?

3.1.1 Evidence of complaints against the strategy or policy on grounds of discrimination.

None.

3.3 If you carried out any consultation or research on the strategy or policy explain what consultation has been carried out.

Stakeholder consultations have involved parents, schools and neighbouring authorities.

3.4 What does the consultation, research and/or data indicate about the positive or negative impact of the strategy or policy?

Despite publicity, there were very few responses to the consultation, although these were largely positive. Respondents felt that children accommodated under section 20 needed all the help they can get. There were no comments about the impact of the change to the primary school area (one comment related to the area but assumed it related to secondary schools as well, which it does not).

Part 4 – Assessment of impact

4.1 Age: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County /District/Borough?

There are 62,471 children and young people aged 4-16 attending primary, secondary and special schools in East Sussex. Pupil numbers by Key Stage are:

Mainstream schools:

Foundation Stage:	5,624
KS1:	10,979
KS2:	21,007
KS3:	14,314
KS4:	9,683

Special Schools:

Foundation Stage:	42
KS1:	86
KS2:	231
KS3:	274
KS4:	231

b) How is this protected characteristic reflected in the population of those impacted by the proposal, strategy or policy?

All primary school aged children and their families in the Eastbourne/Polegate/Willingdon area could potentially be affected by this policy change. However it relates only to mainstream primary schools in the area so older children and children attending special school will not be affected.

c) Will people with the protected characteristic be more affected by the proposal, policy or strategy than those in the general population who do not share that protected characteristic?

Yes, only school aged children and their families will be affected. Children accommodated under section 20 of the Children Act 1989 will be positively affected.

d) What is the proposal, strategy or policy's impact on different ages/age groups?

The policy will affect only school aged children and their families in Eastbourne, Polegate and Willingdon, and the impact will not be universal in the affected area

as the expectation is that similar numbers of families will still be offered their first preference school. There will be a few families who will be offered a place at a school that was a lower preference than the school they would have been offered had the existing policy still been in force, but this will be balanced out by other families who will receive a better offer than they would otherwise have had.

e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

Robust communications with families and schools. The intention is to ensure that the change to the policy is widely publicised so that parents are able to make informed decisions when applying for a school place for their children.

f) Provide details of the mitigation.

Families affected by the change will have their sibling link protected for an extra year (so it will apply to children admitted before 1 September 2018).

g) How will any mitigation measures be monitored?

The agreed action plan will be monitored by the Equality and Participation team.

4.2 Disability: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County/District/Borough?

No evidence of disproportionate, negative, neutral or positive impact.

4.3 Ethnicity: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County/District/Borough?

No evidence of disproportionate, negative, neutral or positive impact.

4.4 Gender/Transgender: Testing of disproportionate, negative, neutral or positive impact

a) How is this protected characteristic target group reflected in the County/District/Borough?

No evidence of disproportionate, negative, neutral or positive impact.

4.5 Marital Status/Civil Partnership: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic target group reflected in the County/District/Borough?

Not applicable.

4.6 Pregnancy and maternity: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic target group reflected in the County/District/Borough?

Not applicable.

4.7 Religion, Belief: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County/District/Borough?

No evidence of disproportionate, negative, neutral or positive impact.

4.8 Sexual Orientation - Gay, Lesbian, Bisexual and Heterosexual: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County/District/Borough?

No evidence of disproportionate, negative, neutral or positive impact.

4.9 Other: Additional groups/factors that may experience impacts - testing of disproportionate, negative, neutral or positive impact.

Rurality

a) How are these groups/factors reflected in the County/District/Borough?

Children, families and school in rural communities are unaffected by the change to the community area in Eastbourne/Polegate/Willingdon. The impact of the change to the definition of 'looked after children' will be county wide, but very small. It is not likely to affect rural children disproportionately, as schools in rural areas are normally able to accommodate children living in their community areas, and we would expect this to continue to be the case.

b) How is this group/factor reflected in the population of those impacted by the proposal, strategy or policy?

See above.

c) Will people within these groups or affected by these factors be more affected by the proposal, policy or strategy than those in the general population who are not in those groups or affected by these factors?

Families living in rural areas will not be affected by the area change. They will not be disproportionately affected by the change to the definition of looked after children.

d) What is the proposal, strategy or policy's impact on the factor or identified group?

None in the case of the first proposal, very slight (positive or negative) in the second case.

e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

Not applicable

f) Provide details of the mitigation.

Not applicable

g) How will any mitigation measures be monitored?

Not applicable

Children who are accommodated under section 20 of the Children Act 1989:

a) How are these groups/factors reflected in the County/District/Borough?

The proposal has the potential for positive impact on this group as it will prioritise them for places at their preferred school.

4.10 Human rights- Human rights place all public authorities – under an obligation to treat you with fairness, equality, dignity, respect and autonomy. **Please look at the table below to consider if your proposal, policy or strategy may potentially interfere with a human right.**

Articles	
A2	Right to life (e.g. pain relief, suicide prevention)
A3	Prohibition of torture, inhuman or degrading treatment (service users unable to consent, dignity of living circumstances)
A4	Prohibition of slavery and forced labour (e.g. safeguarding vulnerable adults)
A5	Right to liberty and security (financial abuse)
A6 &7	Rights to a fair trial; and no punishment without law (e.g. staff tribunals)
A8	Right to respect for private and family life, home and correspondence (e.g. confidentiality, access to family)
A9	Freedom of thought, conscience and religion (e.g. sacred space, culturally appropriate approaches)
A10	Freedom of expression (whistle-blowing policies)
A11	Freedom of assembly and association (e.g. recognition of trade unions)
A12	Right to marry and found a family (e.g. fertility, pregnancy)
Protocols	
P1.A1	Protection of property (service users property/belongings)
P1.A2	Right to education (e.g. access to learning, accessible information)
P1.A3	Right to free elections (Elected Members)

Part 5 – Conclusions and recommendations for decision makers

5.1 Summarise how this proposal/policy/strategy will show due regard for the three aims of the general duty across all the protected characteristics and ESCC additional groups.

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between people from different groups
- Foster good relations between people from different groups

5.2 Impact assessment outcome Based on the analysis of the impact in part four please mark below ('X') with a summary of your recommendation.

X	Outcome of impact assessment	Please explain your answer fully.
X	A No major change – Your analysis demonstrates that the policy/strategy is robust and the evidence shows no potential for discrimination and that you have taken all appropriate opportunities to advance equality and foster good relations between groups.	The changes to admissions arrangements should help ensure that all children are able to attend their nearest local school.
	B Adjust the policy/strategy – This involves taking steps to remove barriers or to better advance equality. It can mean introducing measures to mitigate the potential effect.	A vulnerable group (a subset of children looked after by the Local Authority) will be prioritised for places at their preferred school, which should lead to better outcomes.
	C Continue the policy/strategy - This means adopting your proposals, despite any adverse effect or missed opportunities to advance equality, provided you have satisfied yourself that it does not unlawfully discriminate	A thorough communication campaign with all stakeholders will ensure that all families and schools are aware of the changes in time to allow for effective planning.
	D Stop and remove the policy/strategy – If there are adverse effects that are not justified and cannot be mitigated, you will want to consider stopping the policy/strategy altogether. If a policy/strategy shows unlawful discrimination it <i>must</i> be removed or changed.	

5.3 What equality monitoring, evaluation, review systems have been set up to carry out regular checks on the effects of the proposal, strategy or policy?

An action plan will be developed with the Schools Admissions team so monitoring is carried out.

Equality Impact Assessment

5.6 When will the amended proposal, strategy or policy be reviewed? The admissions policy is reviewed annually in accordance with the statutory process. If agreed for 2018, the policy will be implemented in time for admissions to schools in 2018. A further consultation process will then be carried out in Autumn 2017 for admissions to schools in 2019, and each year thereafter.

Date completed:	27/1/17	Signed by (person completing)	
Jo Miles		Role of person completing	Admissions and Transport Manager
Date:		Signed by (Manager)	

Part 6 – Equality impact assessment action plan

If this will be filled in at a later date when proposals have been decided please tick here and fill in the summary report.

The table below should be completed using the information from the equality impact assessment to produce an action plan the implementation of the proposals to:

1. Lower the negative impact, and/or
2. Ensure that the negative impact is legal under anti-discriminatory law, and/or
3. Provide an opportunity to promote equality, equal opportunity and improve relations within equality target groups, i.e. increase the positive impact
4. **If no actions fill in separate summary sheet.**

Please ensure that you update your service/business plan within the equality objectives/targets and actions identified below:

Page 52 Area for improvement	Changes proposed	Lead Manager	Timescale	Resource implications	Where incorporated/flagged? (e.g. business plan/strategic plan/steering group/DMT)
Communication plan	Produce a clear plan to ensure all stakeholders are aware of the changes	Jo Miles			
Communication methods	Attend key stakeholder events and ensure all digital routes of communication are used	Jo Miles			

(a) 6.1 Accepted Risk

From your analysis please identify any risks not addressed giving reasons and how this has been highlighted within your Directorate:

Area of Risk	Type of Risk? (Legal, Moral, Financial)	Can this be addressed at a later date? (e.g. next financial year/through a business case)	Where flagged? (e.g. business plan/strategic plan/steering group/DMT)	Lead Manager	Date resolved (if applicable)
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Responses to consultation on East Sussex County Council's proposed admission arrangements for 2018/19

We asked for views on the following:-

1. Proposed admissions criteria* in particular to the extension of the definition of 'looked after children'** in priority 1
2. Proposed change to the Eastbourne primary community area
3. Proposed Admission numbers
4. Proposed Co-ordinated schemes

8 people completed the survey online. The results are as follows:

1. *Are the proposed admissions criteria acceptable?

Yes – 7 (87.5%)

No – 1 (12.5%)

1. **Is the proposed amendment to the definition of 'looked after children' acceptable?

Yes – 7 (87.5%)

No – 1 (12.5%)

Comments received

- 1) These children need all the help they can get!

2. Is the proposed area change acceptable?

Yes – 6 (75%)

No – 2 (25%)

Comments received

- 1) Can't comment either yes or no I'm afraid - lack of knowledge of the area.
- 2) I would like to know more about the effect on the children from Normans Bay should the proposed changes come into effect. Unfortunately for us we are the only, single dwelling in Normans Bay outside of the Community Area for Willingdon School. That line on the map just cuts off our house and there aren't any other houses on our side. All the other children of the village go to Willingdon and can travel together for safety etc except my daughter who now has a difficult journey going to Ratton School. She has a younger sister, so I would be interested to know how things will be for her when she is older.

3. If the admission numbers are not acceptable, please tell us what you think the admission numbers should be and why? (Individual schools can propose a higher for their school than those shown in the 'Proposed admission numbers' documents)

- 1) admissions numbers don't reflect demand from children outside of county. parents don't appreciate the restrictions imposed by LA boundaries.

4. Do you have any comments to make on the co-ordinated schemes?

- 1) No.

2) No, all fine.

The lead member is advised that these are the results from an online survey and it is not possible to identify whether the person whose comment was 'can't comment either yes or no' was one of the respondents who selected 'no' to question 2, or, indeed, whether the person who made the other comment on this question selected 'yes' or 'no'.

The comment regarding Norman's Bay seems to be based on a misunderstanding, as Norman's Bay is not included in the Eastbourne primary schools area at the moment: it is in the community area for Pevensey and Westham CE Primary School, and there are no plans to change this. It appears that the respondent has assumed that this change relates to secondary school areas as well, which it does not.